
COMBINED DECLARATION AND POWER OF ATTORNEY

(ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL, DIVISIONAL,
CONTINUATION, OR C-I-P)

As a below named inventor, I hereby declare that:

TYPE OF DECLARATION

This declaration is for an original application.

INVENTORSHIP IDENTIFICATION

My residence, post office address and citizenship are as stated below, next to my name. I believe that I am an original, first and joint inventor of the subject matter that is claimed, and for which a patent is sought on the invention entitled:

TITLE OF INVENTION

CARDIAC PACEMAKER

SPECIFICATION IDENTIFICATION

The specification was filed on August 29, 2003, as Serial No. 10/ , .

ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information, which is material to patentability as defined in 37, Code of Federal Regulations, § 1.56, and which is material to the examination of this application, namely, information where there is a substantial likelihood that a reasonable Examiner would consider it important in deciding whether to allow the application to issue as a patent.

PRIORITY CLAIM (35 U.S.C. §§ 119(a)-(d), (f) 172, and 365(a) and (b))

I hereby claim foreign priority benefits under Title 35, United States Code, §§ 119(a)-(d) of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

Such applications have been filed as follows.

**PRIOR FOREIGN APPLICATION(S) FILED WITHIN 12 MONTHS
(6 MONTHS FOR DESIGN) PRIOR TO THIS APPLICATION
AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. § 119(a)-(d)**

COUNTRY	APPLICATION NUMBER	DATE OF FILING DAY, MONTH, YEAR	PRIORITY CLAIMED UNDER 37 U.S.C. SECTION 119
Germany	102 41 089.5	2 September 2002	yes

POWER OF ATTORNEY

I hereby appoint the practitioner(s) associated with the Customer Number provided below to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

**AUTHORIZATION OF ATTORNEY(S) TO ACCEPT AND
FOLLOW INSTRUCTIONS FROM REPRESENTATIVE**

The undersigned to this declaration and power of practitioner hereby authorizes the U.S. practitioner(s) named herein to accept and follow instructions from:

Eisenfuehr Speiser & Partner
Spreepalais am Dom
Anna-Louisa-Karsch-Strasse 2
Berlin, D-10178 Germany

as to any actions to be taken in the Patent and Trademark Office regarding this application without direct communication between the U.S. practitioner(s) and the undersigned. In the event of a change in the person(s) from whom instructions may be taken, the U.S. practitioner(s) will be so notified by the undersigned.

SEND CORRESPONDENCE TO

Stephen L. Grant
Hahn Loeser & Parks, LLP
1225 W. Market St.
Akron, OH 44313
USA

CUSTOMER NUMBER 021324

DIRECT TELEPHONE CALLS TO:

Stephen L. Grant
330-864-5550

DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

SIGNATURE(S)

Ulrich Busch

Inventor's signature

Date 10th October 03



Country of Citizenship Germany

Residence Berlin Germany

Post Office Address Hentigstrasse 36, Berlin D-10318 Germany

Prof. Dr. Max Schaldach – deceased – completed on added page

Inventor's signature

Date _____

Country of Citizenship Germany

Residence Erlangen Germany

Post Office Address Turnstrasse 5, Erlangen D-91054 Germany

SIGNATURE BY LEGAL REPRESENTATIVE ON BEHALF OF DECEASED INVENTOR
(37 CFR 1.42 and 1.43)

I, Dr. Max Schaldach, Jr., hereby declare that I am a citizen of Germany, residing at ~~Wangenheimstrasse 45,~~
D-14193 Berlin, Germany, and that I am executing and signing the declaration to which this is attached as
legal representative (or heirs) of:

Wormannkehr 1

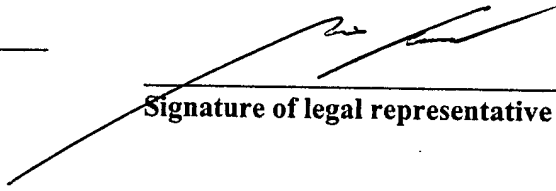
12259

Country of Citizenship:

Prof. Dr. Max Schaldach
Germany

That, upon information and belief, I aver those facts that the inventor is required to state.

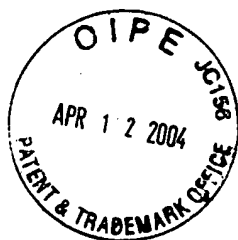
Date: 10-02-2003



Signature of legal representative (or all heirs)

From: EISENFUEHR SPEISER & PARTNER +49 30 84188777

20/10/2003 15:47 #339 P.002/009



301.11-05

Practitioner's Docket No. 117163.00087

PATENT

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Such applications have been filed as follows.

From:EISENFUEHR SPEISER &PARTNER +49 30 84188777

20/10/2003 15:48 #339 P.003/009

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AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. § 119(a)-(d)**

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1225 W. Market St.
Akron, OH 44313
USA

DIRECT TELEPHONE CALLS TO:

Stephen L. Grant
330-864-5550

CUSTOMER NUMBER 021324

From:EISENFUEHR SPEISER &PARTNER +49 30 84188777

20/10/2003 15:48 #339 P.004/009

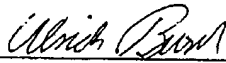
DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

SIGNATURE(S)

Ulrich Busch

Inventor's signature

Date 10th October, 03

Country of Citizenship Germany

Residence Berlin Germany

Post Office Address Hentigstrasse 36, Berlin D-10318 Germany

Prof. Dr. Max Schaldach – deceased – completed on added page

Inventor's signature

Date

Country of Citizenship Germany

Residence Erlangen Germany

Post Office Address Turnstrasse 5, Erlangen D-91054 Germany

From:EISENFUEHR SPEISER &PARTNER +49 30 84188777

20/10/2003 15:48 #339 P.005/009

SIGNATURE BY LEGAL REPRESENTATIVE ON BEHALF OF DECEASED INVENTOR
(37 CFR 1.42 and 1.43)

I, Dr. Max Schaldach, Jr., hereby declare that I am a citizen of Germany, residing at ~~Wangenheimstrasse 45,~~
D-14193 Berlin, Germany, and that I am executing and signing the declaration to which this is attached as
legal representative (or heirs) of:

12259

Country of Citizenship:

Prof. Dr. Max Schaldach
Germany

That, upon information and belief, I aver those facts that the inventor is required to state.

Date: 10-02-2003



Signature of legal representative (or all heirs)

RECORDATION FORM COVER SHEET

PATENTS ONLY

U.S. DEPARTMENT OF COMMERCE

U.S. Patent and Trademark Office

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To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Ulrich BUSCH

Prof. Dr. Max SCHALDACH

2. Name and address of receiving party(ies)

Name: Biotronik GmbH & Co. KG

Internal Address: _____

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

3. Nature of conveyance:



Assignment



Merger



Security Agreement



Change of Name



Other _____

Street Address: Woermannkehre 1City: Berlin, Germany State: _____ Zip: D-12359Execution Date: October 10, 2003Additional name(s) & address(es) attached? ☐ Yes ☒ No

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: _____

A. Patent Application No.(s)

10/652,861

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Stephen L. Grant

Internal Address: _____

04/14/2004 HALI11 00000079 10652861

01 FC:8021 40.00 DP

Street Address: 1225 W. Market St.City: Akron State: OH Zip: 443136. Total number of applications and patents involved: 17. Total fee (37 CFR 3.41).....\$ 40.00☒ Enclosed☐ Authorized to be charged to deposit account

8. Deposit account number: _____

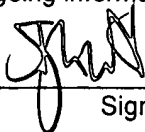
(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. Statement and signature.

*To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.*Stephen L. Grant

Name of Person Signing



Signature

6 APR 2004

Date

Total number of pages including cover sheet, attachments, and documents: 5

Mail documents to be recorded with required cover sheet information to:

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Not filed with new patent application to:

Mail Stop Assignment Recordation Services

Director of the U.S. Patent and Trademark Office

P.O. Box 1450

Alexandria, VA 22313-1450

For: U.S. Rights
For: U.S. Application
By: Inventors

ASSIGNMENT OF INVENTION

In consideration of the payment by ASSIGNEES to ASSIGNORS of the sum of One Dollar (\$1.00), the receipt of which is hereby acknowledged, and for other good and valuable consideration,

ASSIGNORS:

Ulrich Busch
Berlin, D-10318
Germany

Nationality: Germany

Prof. Dr. Max Schaldach
Turnstrasse 5
Erlangen D-91054
Germany

Nationality: Germany

hereby sell, assign and transfer to

ASSIGNEES:

Biotronik GmbH & Co. KG
Woermannkehre 1
Berlin D-12359
Germany
State or Country of Formation: Germany

and the successors, assigns and legal representatives of the ASSIGNEES the entire right, title and interest for the United States and its territorial possessions in and to any and all improvements which are disclosed in the invention entitled:

CARDIAC PACEMAKER

and which is found in (37 C.F.R. Section 3.21) U.S. application no. 10/ , filed on August 28, 2003 and, in and to, all Letters Patent to be obtained for said invention by the above application or any continuation, division, renewal, or substitute thereof, and as to letters patent any reissue or re-examination thereof.

ASSIGNORS hereby covenant that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this assignment.

ASSIGNORS further covenant that ASSIGNEES will, upon their request, be provided promptly with all pertinent facts and documents relating to said invention and said Letters Patent and legal equivalents as

may be known and accessible to ASSIGNORS and will testify as to the same in any interference, litigation or proceeding related thereto and will promptly execute and deliver to ASSIGNEES or their legal representatives any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue and enforce said application, said invention and said Letters Patent and said equivalents thereof which may be necessary or desirable to carry out the purposes thereof.

IN WITNESS WHEREOF, We have hereunto set hand and seal this 10th day of October 03.

Frank Becker, Frank Becker, Greifswalder Str. 161, Berlin D-10409, GERMANY

Date: 10th October 03

Ulrich Busch
Signature of Ulrich Busch

Date:

Signature of Prof. Dr. Max Schaldach – deceased –
completed on additional form

For: U.S. Rights
For: U.S. Application
By: Legal Representative

**ASSIGNMENT OF INVENTION
BY LEGAL REPRESENTATIVE**

In consideration of the payment by ASSIGNEE to ASSIGNOR of the sum of One Dollar (\$1.00), the receipt of which is hereby acknowledged, and for other good and valuable consideration,

ASSIGNOR:

Inventor on whose behalf the following person is signing: Prof. Dr. Max Schaldach
By legal representative of inventor

Dr. Max Schaldach, Jr.
Wangenheimstrasse 45
Berlin D-14193
Germany
Nationality: Germany

hereby sells, assigns and transfers to

ASSIGNEE:

Biotronik GmbH & Co. KG
Woermannkehe 1
Berlin D-12359
Germany

Nationality: Germany

and the successors, assigns and legal representatives of the ASSIGNEE the entire right, title and interest for the United States and its territorial possessions in and to any and all improvements which are disclosed in the invention entitled:

CARDIAC PACEMAKER

and which is found in (37 C.F.R. § 3.21) U.S. application no. 10/ , filed on August 28, 2003 and, in and to, all Letters Patent to be obtained for said invention by the above application or any continuation, division, renewal, or substitute thereof, and as to letters patent any reissue or re-examination thereof.

ASSIGNOR hereby covenants that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this assignment.

ASSIGNOR further covenants that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said invention and said Letters Patent and legal equivalents as may be known and accessible to ASSIGNOR and will testify as to the same in any interference, litigation or proceeding related thereto and will promptly execute and deliver to ASSIGNEE or its legal representatives any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue and enforce said application, said invention and said Letters Patent and said equivalents thereof which may be necessary or desirable to carry out the purposes thereof.

PROOF OF AUTHORITY to act on behalf of the deceased inventor is submitted herewith.

IN WITNESS WHEREOF, I have hereunto set hand and seal this _____ day of

Date of signing

Date: 10-02-2003



Signature of Dr. Max Schaldach, Jr.